



General Assembly

February Session, 2010

Raised Bill No. 5457

LCO No. 1739

* ____HB05457TRA__031610__ *

Referred to Committee on Transportation

Introduced by:
(TRA)

***AN ACT ENHANCING PENALTIES FOR HARM TO VULNERABLE
USERS OF A PUBLIC WAY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2010*) (a) As used in this
2 section:

3 (1) "Vulnerable user" means (A) a pedestrian, (B) a highway worker,
4 as defined in section 14-212d of the general statutes, including a
5 highway worker who performs duties on a highway under the control
6 of a political subdivision of the state, while in the performance of his or
7 her duties and while outside his or her vehicle, (C) a person riding or
8 driving an animal, (D) a person riding a bicycle, (E) a person using a
9 skateboard, roller skates or inline skates, or (F) a person operating or
10 riding on an agricultural tractor or farm implement, as defined in
11 section 14-1 of the general statutes, that does not have an enclosed
12 passenger compartment; and

13 (2) "Public way" means a highway, as defined in section 14-1 of the
14 general statutes, shoulder, as defined in section 14-1 of the general
15 statutes, crosswalk, sidewalk, parking area, as defined in section 14-

16 212 of the general statutes, or multipurpose trail.

17 (b) A person commits the offense of infliction of serious physical
 18 injury or death to a vulnerable user when such person, while operating
 19 a motor vehicle on a public way, fails to exercise due care to avoid
 20 colliding with a vulnerable user of such public way and collides with
 21 such vulnerable user causing serious physical injury, as defined in
 22 section 53a-3 of the general statutes, or death to such vulnerable user.

23 (c) Any person convicted of the offense of infliction of serious
 24 physical injury or death to a vulnerable user shall be sentenced to
 25 attend a motor vehicle operator's retraining program, as provided in
 26 section 14-111g of the general statutes, and perform not less than one
 27 hundred hours or more than two hundred hours of community service
 28 and may be fined not more than five thousand dollars. Such person
 29 shall complete such retraining program and perform such community
 30 service within one year of the date of sentencing.

31 (d) If the Court Support Services Division reports to the court that
 32 such person has not successfully completed such retraining program
 33 and performed such community service within such one-year period,
 34 the court shall fine such person not more than ten thousand dollars
 35 and suspend such person's motor vehicle operator's license or
 36 nonresident operating privilege for a period of one year.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2010	New section

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TRA *Joint Favorable*